

ASSEMBLY BILL

No. 553

Introduced by Assembly Member Furutani

February 25, 2009

An act to add Section 52321.5 to the Education Code, relating to education finance.

LEGISLATIVE COUNSEL'S DIGEST

AB 553, as introduced, Furutani. Educational finance: regional occupational centers or programs.

Existing law authorizes the establishment of regional occupational centers or programs to provide career technical education and technical training to students. Existing law provides a system for the funding of regional occupational centers or programs that includes provision for the apportionment of state funds to these centers or programs.

This bill would express legislative findings and declarations relating to the variance, among regional occupational centers or programs throughout the state, in the amount of state funding per unit of average daily attendance that is apportioned to those centers or programs. The bill, commencing with the 2011–12 fiscal year, would require the Superintendent of Public Instruction to calculate a rate per unit of average daily attendance that would be apportioned to each regional occupational center or program and to determine the statewide median of total state funding received per unit of average daily attendance by each regional occupational center or program.

The bill would also require the Superintendent of Public Instruction, commencing with the 2011–12 fiscal year, to inform, in writing, the governing board of each regional occupational center or program that he or she determines is funded at a rate per unit of average daily

attendance that is below the statewide median determined under the bill that it is exempt from requirements imposed on regional centers or programs by a specified statute unless and until the Superintendent determines that the regional center or program is funded at a rate per unit of average daily attendance that is higher than or equal to the statewide median determined under the bill.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares both of the
2 following:

3 (a) The enactment of Chapter 572 of the Statutes of 2006 (A.B.
4 2448 of the 2005–06 Regular Session) established numerous
5 requirements and mandates on school districts. These requirements
6 and mandates included, but were not limited to, all of the following:

7 (1) Prohibiting regional occupational centers and programs
8 (ROC/Ps) from claiming more than 10 percent of state-funded
9 average daily attendance (ADA) for services provided to adult
10 students by July 1, 2011.

11 (2) Requiring the governing board of each ROC/P to ensure that
12 at least 90 percent of all state-funded programs target high-demand,
13 high-skill occupations by July 1, 2010.

14 (3) Requiring school districts, ROC/Ps, and community college
15 districts that have not completed specified course development to
16 enter into a corrective action plan.

17 (4) Rendering inoperative, as of June 30, 2010, the authorization
18 for ROC/Ps to provide, on an individual referral basis, academic
19 and personal development instruction for adult students enrolled
20 in career technical courses when it is determined that this
21 instruction is essential to ensure the employability of the student.

22 (5) Requiring an ROC/P, commencing with the 2007–08 fiscal
23 year, to use all of its growth ADA to serve pupils in grades 9 to
24 12, inclusive.

25 (b) The apportionment rates of ROC/Ps vary significantly among
26 districts, providing the pupils in some districts with access to
27 well-funded, state-of-the-art programs, while leaving pupils in
28 other districts with only limited access to underfunded course
29 offerings.

1 SEC. 2. Section 52321.5 is added to the Education Code, to
2 read:

3 52321.5. (a) For each fiscal year, commencing with the
4 2011–12 fiscal year, the Superintendent shall do both of the
5 following:

6 (1) Calculate a rate per unit of average daily attendance that
7 shall be apportioned to each regional occupational center or
8 program.

9 (2) Determine the statewide median of total state funding,
10 including, but not necessarily limited to, the apportionment
11 referenced in paragraph (1), received per unit of average daily
12 attendance by each regional occupational center or program.

13 (b) Notwithstanding any other provision of law, commencing
14 with the 2011–12 fiscal year, the Superintendent shall inform, in
15 writing, the governing board of each regional occupational center
16 or program that he or she determines is funded at a rate per unit
17 of average daily attendance that is below the statewide median
18 determined under paragraph (2) of subdivision (a) that it is exempt
19 from requirements imposed on regional centers or programs by
20 Sections 52302, 52302.2, 52302.3, 52302.5, 52302.8, 52314,
21 52314.5, 52315, 52321, and 52335.12, as those sections were added
22 or amended by Chapter 572 of the Statutes of 2006, unless and
23 until the Superintendent determines that the regional center or
24 program is funded at a rate per unit of average daily attendance
25 that is higher than or equal to the statewide median determined
26 under paragraph (2) of subdivision (a). The notice required by this
27 subdivision shall specify the requirements from which the regional
28 center or program is being exempted.